

AMENDMENTS TO THE DRAWINGS

The attached drawing "Replacement Sheets" 1 through 5 include changes to Figures 3-7. The attached "Replacement Sheets" include larger versions of Figures 3-7 wherein the font size for numbers, letters and reference characters is at least 1/8 inch in height as required under 37 C.F.R. 1.84(p)(3). These larger versions replace the original sheets of Figures 3-7.

Attachment: Replacement Sheets

REMARKS

Claims 1-11 are now pending in the application. Claim 1 has been amended; support for the amendment is found in paragraphs [0014], [0022], and [0031]. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

DRAWINGS

The drawings stand objected to for certain informalities. Applicants have attached revised drawings for the Examiner's approval that include larger versions of Figures 3-7 wherein the font size for numbers, letters and reference characters is at least 1/8 inch in height as required under 37 C.F.R. 1.84(p)(3). The content of the figures is unchanged. Withdrawal of the objection is respectfully requested.

DOUBLE PATENTING

Claims 1-13 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-40 of Takamura et al. (U.S. Pat. No. 6,855,754).

Applicants hereby file a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) as the 6,855,754 patent and the present application are commonly owned. Withdrawal of the rejection in view of the terminal disclaimer and reconsideration of the claims are respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 4, and 6-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lambert et al. (U.S. Pat. No. 4,456,534). This rejection is respectfully traversed.

Amended independent claim 1 is to a method of forming a composition comprising adding at least one first compound that is at least one of an alkali metal salt, an ammonium salt, an alkali metal hydroxide, or an ammonium hydroxide and at least one second compound that is at least one of a Group IIA salt, a Group IIIA salt, a Group IIIB salt, a copper salt, a zinc salt, a cadmium salt, a manganese salt, an iron salt, a cobalt salt, or a nickel salt to a latex, wherein the latex remains a stable dispersion. The latex is a polymer lattice that maintains its dispersion stability during the claimed process and remains a stable dispersion by the addition of aqueous solutions of the second compounds. Paragraph [0014]. In an exemplary embodiment, illustrated in Example 2 (paragraphs [0030]-[0031]), the latex remains a stable dispersion after addition of the compounds. This dispersion can be dried to form a film.

In contradistinction, the Lambert reference adds aqueous streams of salts and polymeric flocculants to deliberately aggregate a waste synthetic polymeric material in latex form. The aggregated latex forms a latex sludge which can be separated from an essentially clear waste water stream. For example, the cohesive aggregate of the polymeric particles (the latex) can be separated from the waste water using conventional means such as flotation or screening to produce waste water that is essentially clear. Lambert col. 2, lines 30-39. Thus, the process disclosed in Lambert cannot anticipate the present invention as the polymeric particles (e.g., latex) in Lambert

do not remain a stable dispersion upon addition of the aqueous streams of salts and polymeric flocculants. Instead, the object of the Lambert disclosure is aggregation of the polymeric particles to that the sludge can be skimmed off to clarify the waste water.

Since the Lambert reference does not describe a method to maintain a latex dispersion, as in independent claim 1, the remaining dependent claims 2-11 are not anticipated. Accordingly, Applicants respectfully request reconsideration of the claims and withdrawal of the rejection.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lambert et al. (U.S. Pat. No. 4,456,534). This rejection is respectfully traversed.

As discussed in traverse of the 35 U.S.C. § 102 rejection above, the Lambert reference fails to teach a process wherein the latex remains a stable dispersion after addition of at least one first compound and at least one second compound. Instead, Lambert uses aqueous streams of salts and polymeric flocculants to deliberately aggregate the polymeric particles (e.g., latex) in order to clarify a waste water stream. Consequently, the Lambert reference fails to include all the features of the present invention.

In fact, the Lambert reference teaches away from the present invention. Lambert uses the aqueous calcium chloride, potassium or sodium hydroxide, and anionic and cationic flocculants to deliberately aggregate a polymeric material and separate it from a waste water stream to provide an essentially clear waste water stream. Therefore, a skilled artisan would not recreate the present invention in view of Lambert as the

reference provides the motivation and teaching to aggregate polymeric particles. As such, the Lambert disclosure is contrary to maintenance of a stable latex dispersion upon addition of the aforementioned compounds. Thus, the Lambert fails to render the present invention obvious.

It should also be noted that flocculation is not similar to drying, as alleged on page 4 of the Office Action. Flocculation is the formation of lumps or masses, such as the aggregation of polymeric particles in Lambert. This aggregation, or sludge, can be separated from the waste water by flotation or screening. Such means do not amount to drying, and there is no disclosure of drying the aggregate in the reference, nor is there any motivation for doing so. Applicants respectfully request reconsideration of the claims and withdrawal of the rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: November 10, 2006

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